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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,354	02/12/2001	William J. Tobin	TOBINB 3.0-001 CONT CONT	2023
530	7590	03/15/2005	EXAMINER	
YUAN, ALMARJ ROMERO				
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20050308

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

NOTIFICATION OF NON-COMPLIANT AMENDMENT

See attached Office communication.

NOTICE OF NON-COMPLIANT AMENDMENT

1. The amendment filed on 10/15/04 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03).

The remaining claims are not readable on the elected invention because newly submitted claims 95-113 are directed to an invention that is independent or distinct from the invention originally claimed.

2. Applicant is advised to correct the following:

a) The application number (see upper right hand corner) in Applicant's response (see pages 2-17) does not match with the application number of the instant application.

3. Furthermore, Applicant has not replied to every ground of objection and rejection in the prior Office action and has not presented arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS**, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Art Unit: 2176

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is 571-272-4104. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AY
March 11, 2005


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER